



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

April 27, 2010

REVISED

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ANNEXATION OF TERRITORY INTO
LANDSCAPING AND LIGHTING ACT
DISTRICT NUMBER 4, ZONE NUMBER 78 (THE OLD ROAD AREA-WIDE)
AND ZONE NUMBER 79 (THE OLD ROAD LOCAL)
IN THE UNINCORPORATED AREA OF VALENCIA
(SUPERVISORIAL DISTRICT 5) (3 VOTES)**

SUBJECT

This action is to annex territory into Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Number 79 (The Old Road Local) in the unincorporated community of Valencia; approval of the Engineer's Reports for the annexation and levying of assessments; and setting a date, time, and place for hearing protests thereon.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the Resolution of Intention to annex territory into Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local), and to conduct a protest ballot proceeding for the levy of annual assessments related thereto commencing in Fiscal Year 2010-11 pursuant to the provisions of the California Constitution Article XIID and the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California.
2. Set the public hearing date for the proposed annexations and levying of the proposed assessments as required by the California Constitution and the Landscaping and Lighting Act of 1972.

3. Approve and file the Engineer's Reports prepared in accordance with Article 4, Section 22565 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code regarding the proposed assessment for landscape maintenance purposes for County Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local), pursuant to provisions of the Landscaping and Lighting Act of 1972.
4. Instruct the Executive Officer of the Board of Supervisors to give notice of the public hearings and to mail ballots to the property owners of record at least 45 days prior to the date of the hearing pursuant to the provisions of the California Constitution Article XIID and the California Government Code Section 53753.

IT IS FURTHER RECOMMENDED THAT, AT THE CONCLUSION OF THE PUBLIC HEARING, YOUR BOARD:

1. Find that the following actions are categorically exempt from the provisions of the California Environmental Quality Act.
2. Instruct the Executive Officer to manage the tabulation of assessment ballots submitted, and not withdrawn, in support of or in opposition to the proposed assessments for Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local), and determine whether a majority of the ballots submitted in favor of the assessment in each zone exceed those submitted in opposition.
3. Find that the territory to be annexed into Landscaping and Lighting Act District Number 4, Zone Number 78 (The Old Road Area-Wide) and Zone Number 79 (The Old Road Local), will be benefited by such annexation, and order the boundary of Landscaping and Lighting Act District Number 4 to be altered to include such territory.
4. Order changes in any of the matters provided in the Engineer's Report, including changes in the improvements, the proposed diagrams or the proposed assessments as described in the Engineer's Reports if needed; and

5. For each territory to be annexed, if the ballots submitted in favor of the annexation assessments (and Consumer Price Index) factor exceed those submitted in opposition, adopt the Resolution Ordering the Annexation of Territory into Landscaping and Lighting Act District Number 4 and the levying of an Assessment for the Annexed Territory for Fiscal Year 2010-11, confirming the diagrams and assessments, either as originally proposed or changed by it, and ordering the maintenance and operation work to be done for each annexed territory. The adoption of these resolutions shall constitute the levy of assessments for the fiscal year referred to in the Engineer's Reports.
6. Designate the Director of the Department of Parks and Recreation to accept, on behalf of Landscaping and Lighting Act District Number 4, the Grants of Easement to designated landscaped areas and open space pursuant to the tract conditions approved for the annexed territory.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

These recommended actions are for your Board of Supervisors (Board) to annex additional territory to Landscaping and Lighting Act (LLA) District No. 4; to establish the proposed annual assessments for the annexed areas commencing in Fiscal Year (FY) 2010-11 to provide landscape maintenance services; to approve and file the enclosed Engineer's Reports; and to set a date for a public hearing on these matters. These actions are pursuant to the provisions of the California Constitution and the Landscaping and Lighting Act of 1972 (Act), Part 2 of Division 15 of the Streets and Highways Code of the State of California and provide funding for the operation of the aforementioned County-administered District Zones.

The Resolutions of Intention to levy and collect assessments are limited to the proposed annexation areas in LLA District No. 4, Zone No. 78 (The Old Road Area-Wide) and Zone No. 79 (The Old Road Local), for FY 2010-11.

A separate Board letter including Resolutions of Intention is being filed to set a date for a public hearing to establish the annual per parcel direct assessment for the existing zones within LLA District Nos. 1, 2, and 4.

On July 22, 1997, your Board approved the formation of LLA District No. 4 and Zones therein, respectively, for the purpose of providing County-administered landscaping therein pursuant to provisions of the Act. As the governing body, the Board is responsible for levying the annual assessment for landscape maintenance purposes.

On June 12, 1979, your Board approved a method of distributing the landscape maintenance costs on the basis of land use and/or benefit and this same method will be used to compute the FY 2010-11 assessments. This method and the proposed assessments on the various lots or parcels are shown in detail in the Engineer's Report.

LLA District No. 4, Zone No. 78 (The Old Road Area-Wide)

The developer of the Newhall Land and Farming Company's unincorporated area known as Entrada Phase I (Tract No. 18654) has requested the annexation of 52,300 sq. ft. of landscaped medians and 10,800 sq. ft. of stamped concrete medians along Magic Mountain Parkway and The Old Road, into LLA District No. 4, to be known as Zone 78 (The Old Road Area-Wide).

The proposed annexation of this territory will provide the method to raise funds for the maintenance and servicing of the landscaped and hardscape medians installed by the developer, which will provide special benefits to the properties within the annexation territory. These landscape improvements may consist of shrubs, plant materials, trees, automated irrigation systems, stamped concrete, drainage devices, and other appurtenant improvements.

LLA District No. 4, Zone No. 79 (The Old Road Local)

The developer of Tract No. 18654 has also requested the annexation of 69,800 sq. ft. of landscaped parkway panels and 1,100 lin. ft. of vinyl fencing along Magic Mountain Parkway and The Old Road, into LLA District No. 4, to be known as Zone 79 (The Old Road Local).

The proposed annexation of this territory will provide the method to raise funds for the maintenance and servicing of the landscaped parkway panels installed by the developer, which will provide special benefits to the properties within the annexation territory. These landscape improvements may consist of shrubs, plant materials, trees, automated irrigation systems, vinyl fencing, drainage devices, and other appurtenant improvements.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal1). The fiscal sustainability of landscape maintenance services will be ensured by performing the annexations and the establishment of the assessments to provide the funding necessary for the operation and maintenance of new landscaping and appurtenant improvements within these annexed territories. In addition, these actions are consistent with the Community and Municipal Services (Goal 3), since landscaping services provide for the delivery of a customer-oriented municipal service that improves the quality of life for residents in the area.

FISCAL IMPACT/FINANCING

There is no impact on the General Fund, other than assessments for the vacated right-of-way parcels owned by County of Los Angeles. Services provided in the Districts, and Zones therein, are funded by the benefit assessments established by the Board.

The recommended new annual benefit assessment of \$650.22 per Equivalent Dwelling Unit (EDU) for LLA District No. 4, Zone No. 78 (The Old Road Area-Wide) and \$896.74 per EDU for Zone 79 (The Old Road Local) will provide the funds needed for maintenance, servicing and administrative costs associated with the improvements during FY 2010-11.

Commencing with FY 2011-12, the assessments may be increased annually for inflation, based on the Consumer Price Index, All Urban Consumers - for the Los Angeles-Riverside-Orange County Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Department of Parks and Recreation (Department) shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Act sets forth procedures that must be followed for any fiscal year during which an assessment is to be levied. The Act, Government Code Section 53753, and the California Constitution have established procedures that must be followed for the levy of any new or increased assessments. The Act requires that the legislative body adopt a Resolution Initiating Proceedings and generally describing any proposed improvements or substantial changes in existing improvements.

The legislative body also must order the Director of the Department to have prepared and filed an Engineer's Report (Report) in accordance with Section 22565 et seq. of the Streets and Highways Code. The Report will show an estimate of, and a proposed assessment to pay for, the costs of providing landscape maintenance services. The Act provides a method of funding a landscape assessment district with assessments being collected via the consolidated tax bill. This provides for the assessment of landscape maintenance costs against the benefiting properties.

Proceedings for the annexation of territory to an existing Los Angeles County LLA District under the Act are initiated by resolution pursuant to Section 22606 of the Streets and Highways Code and Article XIID, Section 4 of the California Constitution. In annexation proceedings, the Resolution Order the Annexation of Territory and the Levying of Assessment, the Report, the Notices of Hearing, and Right of Majority Protest are limited to the territory proposed to be annexed pursuant to Section 22608 of the Streets and Highways Code.

The passage of Proposition 218 in November 1996 added Articles XIIIC and XIID to the California Constitution. Article XIID contains additional requirements to those found in the Act that must be followed for the levying of new or increased assessments and the filing of the Engineer's Report. LLA District No. 4, Zone No. 78 (The Old Road Area-Wide) and Zone No. 79 (The Old Road Local) require an assessment ballot to approve the proposed new assessments.

Your Board is required to conduct a public hearing upon these proposed assessments not less than 45 days after mailing the notice of the proposed assessment to the property owners. A notice and ballot will be mailed to the property owners of record within LLA District No. 4, Zones No. 78 (The Old Road Median) and Zone No. 79 (The Old Road Local) in compliance with Article XIID of the California Constitution.

The developer is required to install the landscape improvements, as approved by the District and grant to the District maintenance easements for designated landscaped areas. When the required landscape improvements are completed to the satisfaction of the District and executed Grants of Easement are received, the designated landscaped areas will be accepted by the District for maintenance and servicing.

County Counsel has approved the enclosed resolutions as to form.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in that they meet the criteria set forth in Section 15301(c) of the CEQA Guidelines and class 1(x)(27) of the County's Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for formation of and annexations to the LLA Districts.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of these recommendations will be a benefit to the local community through the beautification, maintenance, and servicing of landscaped medians, parkway panels, and appurtenant improvements.

CONCLUSION

It is requested that an adopted copy of this document be retained by the Executive Officer of the Board, one adopted copy of the letter and resolutions to be forwarded to the Chief Executive Office, Assessor, County Counsel, Auditor-Controller Tax Division (Attention Kelvin Aikens), and two adopted copies be forwarded to the Department of Parks and Recreation, Special Districts Section.

Respectfully submitted,



RUSS GUINEY
Director

RG:KH:pm

Attachments

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION ORDERING THE ANNEXATION OF TERRITORY
INTO LOS ANGELES COUNTY LANDSCAPING
AND LIGHTING ACT DISTRICT NO. 4;
AND THE LEVYING OF AN ASSESSMENT
FOR THE ANNEXED TERRITORY
FOR FISCAL YEAR 2010-2011**

WHEREAS, the Board of Supervisors of the County of Los Angeles on April 13, 2010 adopted a Resolution of Intention to Annex Territory into Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, and to order the Levying of Assessments for the Annexed Territory for Fiscal Year 2010-2011; and

WHEREAS, the levying of an assessment is for the purpose of providing funds for the provision of landscape maintenance services in the annexed territory known as LLA District No. 4, Zone No. 78 (The Old Road Area-Wide), pursuant to provisions of the Landscaping and Lighting Act of 1972; and

WHEREAS, the Board has approved and filed the Engineer's Report as required by law; and

WHEREAS, the Executive Officer of the Board of Supervisors did cause the notice of public hearing to be mailed to all property owners within the territory subject to the proposed annexation and levying of an assessment at least 45 days prior to the date set for the hearing; and

WHEREAS, the Department of Parks and Recreation has mailed an assessment ballot and a notice to property owners of identified parcels within the territory proposed for annexation, pursuant to Article XIIIID of the California Constitution, to indicate support of or opposition to the matter of an assessment; and

WHEREAS, said Board of Supervisors has heard all testimony and evidence with regard to the annexation and levying of an assessment, and has tabulated all returned assessment ballots concerning the proposed assessment for said Zone and has made a determination that the majority of ballots returned in favor of the levy exceeds those submitted in opposition, and that no majority protest exists.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That this Board hereby finds that the public interest and convenience require the maintenance of the proposed and future park, landscaping and appurtenant improvements located within the boundary of LLA District No. 4, Zone No. 78 (The Old Road Area-Wide).

SECTION 2. That this Board hereby determines that the levying of assessments for LLA District No. 4, Zone No. 78 (The Old Road Area-Wide), is required to provide the total funding needed to finance the installation and/or maintenance of the existing and future park, landscaping and appurtenant improvements.

SECTION 3. That this Board hereby orders the annexation of additional territory into LLA District No. 4, Zone No. 78 (The Old Road Area-Wide), pursuant to provisions of the Landscaping and Lighting Act of 1972, and hereby orders the maintenance and operation work to be done as set forth and described in said Report.

SECTION 4. That this Board hereby determines that the territory identified in the Assessment Diagram of the Engineer's Report will be benefited by annexation to the LLA District No. 4, Zone No. 78 (The Old Road Area-Wide), and hereby orders that the boundaries of said District be altered to include such benefited territories.

SECTION 5. That the Landscaping and Lighting Act District diagram and assessment as set forth in said Report, or as modified, are hereby approved, confirmed and adopted by this Board.

SECTION 6. That the adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2010 and ending June 30, 2011.

SECTION 7. That the amount to be assessed for the expenses of the installation maintenance, operation and service as described in said Report and Resolution shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected, and shall be disbursed and expended for maintenance, operation, and service of the said District, all as described in the Engineer's Report and the Resolution of Intention.

SECTION 8. That the Executive Officer of the Board of Supervisors is hereby ordered and directed to file a certified copy of the landscape maintenance diagrams and assessments, together with a certified copy of this Resolution upon its adoption, with the County Auditor Controller.

The foregoing Resolution was on the _____ day of _____, 2010,
adopted by the Board of Supervisors of the County of Los Angeles and ex-officio
the governing body of all other special assessment and taxing districts, agencies
and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

ANDREA SHERIDAN ORDIN

By: Christina Salcedo
Principal Deputy County Counsel

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION ORDERING THE ANNEXATION OF TERRITORY
INTO LOS ANGELES COUNTY LANDSCAPING
AND LIGHTING ACT DISTRICT NO. 4;
AND THE LEVYING OF AN ASSESSMENT
FOR THE ANNEXED TERRITORY
FOR FISCAL YEAR 2010-2011**

WHEREAS, the Board of Supervisors of the County of Los Angeles on April 13, 2010 adopted a Resolution of Intention to Annex Territory into Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, and to order the Levying of Assessments for the Annexed Territory for Fiscal Year 2010-2011; and

WHEREAS, the levying of an assessment is for the purpose of providing funds for the provision of landscape maintenance services in the annexed territory known as LLA District No. 4, Zone No. 79 (The Old Road Local), pursuant to provisions of the Landscaping and Lighting Act of 1972; and

WHEREAS, the Board has approved and filed the Engineer's Report as required by law; and

WHEREAS, the Executive Officer of the Board of Supervisors did cause the notice of public hearing to be mailed to all property owners within the territory subject to the proposed annexation and levying of an assessment at least 45 days prior to the date set for the hearing; and

WHEREAS, the Department of Parks and Recreation has mailed an assessment ballot and a notice to property owners of identified parcels within the territory proposed for annexation, pursuant to Article XIID of the California Constitution, to indicate support of or opposition to the matter of an assessment; and

WHEREAS, said Board of Supervisors has heard all testimony and evidence with regard to the annexation and levying of an assessment, and has tabulated all returned assessment ballots concerning the proposed assessment for said Zone and has made a determination that the majority of ballots returned in favor of the levy exceeds those submitted in opposition, and that no majority protest exists.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That this Board hereby finds that the public interest and convenience require the maintenance of the proposed and future park, landscaping and appurtenant improvements located within the boundary of LLA District No. 4, Zone No. 79 (The Old Road Local).

SECTION 2. That this Board hereby determines that the levying of assessments for LLA District No. 4, Zone No. 79 (The Old Road Local), is required to provide the total funding needed to finance the installation and/or maintenance of the existing and future park, landscaping and appurtenant improvements.

SECTION 3. That this Board hereby orders the annexation of additional territory into LLA District No. 4, Zone No. 79 (The Old Road Local), pursuant to provisions of the Landscaping and Lighting Act of 1972; and hereby orders the maintenance and operation work to be done as set forth and described in said Report.

SECTION 4. That this Board hereby determines that the territory identified in the Assessment Diagram of the Engineer's Report will be benefited by annexation to the LLA District No. 4, Zone No. 79 (The Old Road Local), and hereby orders that the boundaries of said District be altered to include such benefited territories.

SECTION 5. That the Landscaping and Lighting Act District diagram and assessment as set forth in said Report, or as modified, are hereby approved, confirmed and adopted by this Board.

SECTION 6. That the adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2010 and ending June 30, 2011.

SECTION 7. That the amount to be assessed for the expenses of the installation maintenance, operation and service as described in said Report and Resolution shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected, and shall be disbursed and expended for maintenance, operation, and service of the said District, all as described in the Engineer's Report and the Resolution of Intention.

SECTION 8. That the Executive Officer of the Board of Supervisors is hereby ordered and directed to file a certified copy of the landscape maintenance diagrams and assessments; together with a certified copy of this Resolution upon its adoption, with the County Auditor Controller.

The foregoing Resolution was on the _____ day of _____, 2010,
adopted by the Board of Supervisors of the County of Los Angeles and ex-officio
the governing body of all other special assessment and taxing districts, agencies
and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

ANDREA SHERIDAN ORDIN

By: Chit A. Salside
Principal Deputy County Counsel

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION OF INTENTION
TO ANNEX TERRITORIES INTO LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NO. 4;
AND TO LEVY AND COLLECT ASSESSMENTS
WITHIN THE ANNEXED TERRITORIES
COMMENCING IN FISCAL YEAR 2010-2011**

WHEREAS, the Board of Supervisors of the County of Los Angeles previously approved the formation of Los Angeles County Landscaping and Lighting Act (LLA) District No. 4 and Zones therein for the purpose of providing funds for the provision of landscape maintenance services located therein pursuant to the Landscaping and Lighting Act of 1972 of Part 2 of Division 15 of the Streets and Highways Code of the State of California (the Act); and

WHEREAS, the Board of Supervisors, on April 13, 2010 adopted a Resolution Initiating Proceedings for the annexation of territory to Los Angeles County Landscaping and Lighting Act (LLA) District No. 4 and the proposed levy of an Assessment for Landscape Maintenance Purposes for the 2010-11 Fiscal Year as required by law; and

WHEREAS, the Board of Supervisors has approved and filed the Engineer's Reports as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to authorize, that these benefited territories be annexed into Los Angeles County LLA District No. 4, Zone No. 78 (The Old Road Area-Wide) and Zone No. 79 (The Old Road Local).

SECTION 2. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to order, that the expense necessary for the installation, maintenance, repairs, replacement, utilities, care, supervision and all other items necessary for proper maintenance and operation of Zone No. 78 (The Old Road Area-Wide) and Zone No. 79 (The Old Road Local) within Los Angeles County LLA District No. 4, shall be assessed upon each lot or parcel of land lying within, in proportion to the special benefits received from the landscape improvements, and which should be assessed to pay the expense of the installation, maintenance and operation of said improvements. The Engineer's Reports on file with the Executive Officer-Clerk of the Board of Supervisors describes the boundary of the said annexed territories, the location and improvements within the annexed territories, and the proposed proportional special benefit assessment on each lot or parcel of land included therein.

SECTION 3. That in subsequent fiscal years the Board of Supervisors may thereafter impose the assessment at any rate or amount that is less than or equal to the amount authorized for Fiscal Year 2010-11, increased each year based upon the Consumer Price Index, All Urban Consumers for the Los Angeles-Riverside-Orange County Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, without conducting another mailed ballot election. The Engineer shall compute the percentage of difference between the CPI for March of each year and the CPI for the previous March, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the Board for determining fluctuations in the cost of living.

SECTION 4. That the amounts to be assessed for the expense of such installation, maintenance and operation of the work or improvements above described shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected and shall be disbursed and expended for installation, maintenance, operation and service of these annexed territories, as described in the Engineer's Reports and Section 2 of this Resolution.

SECTION 5. That the boundary of the territories proposed to be annexed consists of the areas shown on the approved Engineer's Reports.

SECTION 6. That the proposed assessments are subject to majority protest of the property owners in each proposed Annexation Area pursuant to the provisions of the California Constitution. A ballot and public hearing notice will be mailed to the property owners of record within the areas proposed for annexation at least 45 days before the public hearing. The ballots will be weighted by the amount of assessment to be paid by each property within each zone. The territory will not be annexed, and the proposed assessment for that Zone will be abandoned if the weighted majority of ballots submitted are opposed to the proposed new assessments.

SECTION 7. That the proceedings for the levying of assessments shall be taken under and in accordance with the Landscaping and Lighting Act of 1972 (Division 15, Part 2, of the Streets and Highways Code), and in accordance with Section 53753 of the Government Code and Article XIID of the California Constitution.

SECTION 8. That on June 22, 2010 at the hour of 9:00 a.m. of said day, is the day and hour, and the Chambers of the Board of Supervisors of the County of Los Angeles, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by said Board of Supervisors for the public hearing; and is the time and place any and all persons may hear and be heard on these matters.

SECTION 9. The Clerk of the Board of Supervisors is hereby authorized and directed to give notice of the public hearing and mail Assessment Ballots to all property owners within the annexed territories as shown on the latest Los Angeles County Assessor Records as set forth in Section 6 in accordance with law and Article XIID of the California Constitution.

The foregoing resolution was on the _____ day of _____, 2010, passed by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

ANDREA SHERIDAN ORDIN

By: Christina Salceda
Principal Deputy County Counsel



Landscape and Lighting District No. 4, Zone No. 78 The Old Road Area-Wide

Zone No. 78 The Old Road Area-Wide Engineer's Report



Prepared by:
Hunsaker & Associates, LA
Jeannine Giem, AICP, LEED AP
26074 Avenue Hall #23
Santa Clarita, CA 91355
661-705-2228

April 2010



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- Attachment B: Description of Budget Items
- Attachment C: FY 2010/2011 Budget (Assessment Calculation)
- Attachment D: Assessment Diagram
- Attachment E: Zone No. 78 Maintenance Areas Exhibit



I. INTRODUCTION

Pursuant to the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIID (hereafter referred to as the "California Constitution"), the Board of Supervisors of the County of Los Angeles (hereafter referred to as "County"), on behalf of the Los Angeles County Department of Parks and Recreation, has by resolution initiated proceedings in connection with the annexation of specified territory and the establishment of the special benefit assessment zone to be designated as:

Zone No. 78 The Old Road Area-Wide

(hereafter referred to as "Zone No. 78"), within the landscape maintenance district designated as:

Landscaping and Lighting Act District No. 4

(hereafter referred to as "LLA District No. 4") that was formed on July 22, 1997 to annually levy and collect special benefit assessments for the ongoing maintenance and operation of local landscape improvements within specified unincorporated areas of the County that provide special benefits to the properties therein

The County, through the Department of Parks and Recreation (hereafter referred to as "Agency"), is preparing to take responsibility for the maintenance and servicing of specific local landscape improvements within the public right-of-ways that will provide special benefits to nearby properties. This report has been prepared in connection with the establishment of LLA District No. 4, Zone No. 78 The Old Road Area-Wide and the annual assessments related thereto as required by the provisions of Article 4, Chapter 1 the 1972 Act.

Proposition 218, which appeared on the November 1996 Statewide ballot and now contained in Articles XIIC and XIID of the California Constitution, established substantive and procedural requirements for the levy of new or increased assessments including the requirement that all assessments be supported by a detailed Engineer's Report prepared by a registered professional engineer.



The 1972 Act provides for the levy of annual assessments after formation of an assessment district for the continued maintenance and servicing of district improvements. The act further allows various areas to be classified into a separate zone when the territory in the zone receives substantially the same degree of benefit from the improvements. The costs associated with the installation, maintenance, and service of the improvements may be assessed to those properties, which are benefited by them.

The County may initiate proceedings for the continued maintenance and servicing of the improvements by passing a resolution that generally describes any proposed new improvements, or any substantial changes in existing improvements, and order a registered professional engineer to prepare and file a detailed report.

The report prepared by the engineer must include plans and specifications of the improvements, and estimate of the costs of the improvements, including maintenance and servicing, a diagram describing the assessment district showing the boundary of the district including the parcels or lots which benefit. Once the report has been completed, it is then presented to the County (the legislative body) for its review and approval as presented, or may be modified and approved.

After the report is approved, the County shall adopt a resolution of intent, which declares its intent to levy and collect assessments. That resolution shall generally:

- Describe the improvements, including maintenance and servicing,
- Refer to the assessment district by its distinctive designation,
- Refer to the report for details of the district,
- Set a time for hearing on the levy of the proposed assessment, and
- Direct that each property owner be given a notice of the time and place for the hearing.

With the passage for Proposition 218, a notice is mailed to each of the property owners of record within the district or specific zone that will be subject to a new or increased assessment. The notice shall include a description in general terms, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, the total amount thereof chargeable to the entire district or specific zone, the amount chargeable to the owner's particular parcel, the duration of the payments, together with the date, time, and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return, and tabulation of the ballots, including a disclosure statement



that the existence of a majority protest will result in the assessment not being imposed. The public hearing must be held no fewer than 45 days after the notice is mailed.

Each notice mailed to owners of identified parcels within the district or specific zone shall contain a ballot which includes the agency's address for receipt of the ballot once completed by any owner receiving the notice whereby the owner may indicate his or her name, reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.

At the public hearing, the Board of Supervisors shall accepted public testimony and written protests regarding the district and proposed new or increased assessments. At the public hearing, the Board of Supervisors shall consider all protests against the proposed assessment and tabulate the ballots. The Board of Supervisors shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected properties.

Assessments, if authorized by these proceedings, may be placed on the 2010/2011 County tax roll, and be collected with the regular County property taxes.



II. PLANS AND SPECIFICATIONS

The proposed improvements for the Zone No. 78 The Old Road Area-Wide include, but are not limited to:

The operation, maintenance, and servicing of landscaping, (including trees, shrubs, grass, and other ornamental vegetation), stamped concrete, irrigation systems and drainage devices, located in the street median islands on Magic Mountain Parkway and The Old Road within the boundaries of Zone No. 78.

Maintenance means:

“The furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the ornamental structures and landscaping, including repair, removal, or replacement of all or part of the ornamental structures and landscaping, irrigation systems and drainage devices, providing for the life growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimming rubbish, debris, and other solid waste, and pest control.

Servicing means:

“The furnishing of electricity for the lighting and operation of the ornamental structures, landscaping, irrigation systems and drainage devices, water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping, irrigation systems and drainage devices.”

The improvements to be maintained and funded by the assessments include the landscaping and related amenities of the street median islands on Magic Mountain Parkway and The Old Road within the boundaries of Zone No. 78 as depicted in “Attachment E” of this report. The specific plans and specifications for the improvements to be provided within LLA District No. 4, Zone No. 78 are extensive and are not bound in this report but by this reference are incorporated and made a part of this report. These plans and specifications are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, where they are available for public inspection.



III. ESTIMATED COST OF THE IMPROVEMENTS

The 1972 Act provides that the estimated costs of the improvements may include the total costs of constructing or installing all proposed improvements and of maintaining and servicing all existing and proposed improvements, including all incidental expenses. This may include a reserve which shall not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the Agency expects to receive its apportionment of special assessments and tax collections from the County, whichever is later.

The Act also provides that the amount of any surplus, deficit, or contribution be included in the estimated cost of the improvements. The net amount to be assessed on the lots or parcels within each district is the total cost of installation, maintenance, servicing and incidental expenses with adjustments either positive or negative for reserves, surpluses, deficits, and/or contributions.

Estimated costs for improvements related to LLA District No. 4, Zone No. 78 are included as Attachment C. Typical costs for maintenance of landscape improvements are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, and are available to the public for review. A description of budget items is included as Attachment B.



IV. ASSESSMENT DIAGRAM

The exterior boundaries of LLA District No. 4, Zone No. 78 is provided in "Attachment D" and each parcel of land therein that is subject to annual assessment is identified by an Assessor's Parcel Number (APN) with the exception of the Vacated County right-of-way (ROW) that will be assigned an APN upon sale of the property. (Refer to "Attachment A" of this report). The lines and dimensions of each parcel of land shown in "Attachment D" and listed in "Attachment A" are shown on the corresponding Assessor's maps maintained by the County of Los Angeles, Office of the Assessor. Said maps are herein incorporated by reference and include the following Assessor parcels:

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- 2826-037-027
- 2826-037-028
- 2826-163-001
- 2826-163-002
- 2826-163-029
- 2826-163-008
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- 2826-163-031- (Landscape Easement/Slope not to be assessed)

The Assessment Roll (Attachment A), includes the Assessor's Parcel Numbers, Land Use, Parcel Acreage, Assigned Equivalent Dwelling Units (EDU) and proposed annual assessment for each parcel within the benefit zone for Fiscal Year 2010/2011. Land use and acreage information is based on data obtained



*COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION- SPECIAL DISTRICTS*

from the latest Assessment Roll from the County of Los Angeles, Office of the Assessor.



V. ASSESSMENT

All assessed lots and parcels of real property within the assessment district shall be listed on the Assessment Roll. The new Chevron property has yet to be assigned a new Assessor Parcel Number; however it is anticipated to be assigned prior to the collection of the first year's assessments. The assessments identified in Attachment A indicates the net calculated amount to be assessed upon each parcel receiving special benefit for Fiscal Year 2010/2011 and is based on an assessment rate and method of apportionment more fully described in Section VI (Method of Assessment) of this report. The assessment rate calculated for Fiscal Year 2010/2011 (\$650.22 per Equivalent Dwelling Unit) is the initial maximum assessment rate for LLA District No. 4, Zone No. 78 and shall be subject to an annual inflationary adjustment to establish the maximum annual assessment rate authorized each Fiscal Year.

Commencing with Fiscal Year 2011/2012, the maximum the assessment (assessment rate) shall be increase annually, based on the percentage increase in the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. Each Fiscal Year the engineer shall compute the percentage difference between the CPI for March of each year and the CPI for the previous March, to establish the authorized maximum assessment rate for the upcoming Fiscal Year. The annual assessment to be levied upon parcels within LLA District No. 4, Zone No. 78 each Fiscal Year shall be based on an assessment calculation that does not exceed the adjusted maximum assessment rate. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the engineer shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board of Supervisors.



VI. METHOD OF ASSESSMENT

a) *Background*

The 1972 Act provides that assessments may be apportioned upon all assessable lots or parcels of land within the district or zone therein in proportion to the estimated benefits to be received for the improvements. In addition, the California Constitution (Proposition 218) requires that assessments be a levy or charged upon real property for a special benefit conferred on the property over and above any general benefits conferred on real property located in the district or to the public at large. Although the general enhancement of property value is not a special benefit, the specific enhancement of property value is a special benefit. In essence, an assessment, levy or charge, on a parcel must be based on a particular and distinct benefit to the parcel, and shall not include any general benefits.

b) *Special Benefit*

In determining the proportionate special benefit derived by each identified parcel, the use of the parcel, the proximity of the parcel to the public improvements, and the maintenance and operating costs of said public improvements, was considered and analyzed.

Landscaping, hardscape, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property in close proximity to those improvements by providing beautification, shade, and positive enhancement of the community character, attractiveness and desirability of the surroundings. In addition, all of the aforementioned contributes to a specific increase in property desirability and a specific enhancement of the property value of each parcel within each Zone of Benefit.

Based on these factors, it has been determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by these public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share, and such improvements

Only provide incidental benefits to the public at large and to motorists traveling to, from, or through the Area of Benefit.



c) Apportionment

Therefore it has been determined that the Special Benefit derived from maintenance of the improvements is 100% attributable to the properties within LLA District No. 4, Zone No. 78, and that the proportional special benefit to each lot or parcel is reflected by each lot or parcel's proportional acreage. However, it is also recognized that due to current development restrictions the vacated right-of-way property (encumbered with utility easements) does not benefit from the maintenance of the improvements to the same degree as the remaining parcels. Therefore, the vacated right-of-way parcels shall be assigned 0.5 EDU per acre as opposed to 1.0 EDU acre for all other non-residential properties. Attachment A outlines the calculation of the proportional assessable Special Benefit for each lot or parcel of land to be assessed, expressed as EDUs, attributable to each parcel.

It should be noted, there are two parcels within the Zone (Parcels 2826-163-013 and 2826-163-031), that do not receive special benefits from the improvements. These two parcels are landscaped slopes adjacent to the street right-of-way and cannot be developed for commercial use and shall not be assessed.

d) Publicly Owned Parcels

In accordance with Section 4 of Article XIID of the California Constitution, publicly owned parcels are required to be assessed unless they in fact receive no special benefit. Currently the vacated right-of-way within the District is owned by Los Angeles County. These parcels are expected to eventually be sold and assessed as previously indicated.

e) Assessment Calculations

In determining the cost per parcel for Fiscal Year 2010/2011, the total estimated cost of the improvements (annual operation, maintenance, and servicing expenses, and operating reserves) will be used to determine the amount to be assessed. Based on the improvements to be provided, the total amount to be assessed as special benefits for the 2010/2011 fiscal year is \$25,943.52 (Refer to Attachment C for the calculation of costs). Dividing this amount (\$25,943.52) by the total number of Equivalent Dwelling Units calculated for each parcel (39.90 EDU) establishes an assessment rate of \$650.22 per EDU. This rate per EDU multiplied by each parcel's individual EDU, results in the parcel's assessment amount.



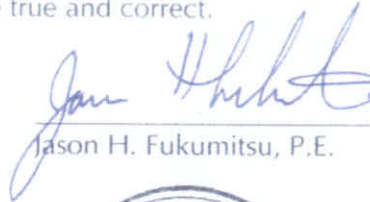
*COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION- SPECIAL DISTRICTS*

Each assessable parcel in the assessment district and its proposed 2010/2011 assessment is identified in Attachment A.



VII. CERTIFICATION

I, Jason H. Fukumitsu, P.E. Engineer of Work for the County of Los Angeles, do hereby certify that the foregoing assessments together with the boundary maps attached hereto are true and correct.

 3-18-10
Jason H. Fukumitsu, P.E.





Attachment A: Fiscal Year 2010/2011 Assessments

The 2010/2011 Fiscal Year assessments for the Landscape and Lighting Act (LLA) District No. 4, Zone No. 78 The Old Road Area-Wide is outline below and constitute the Assessment Roll to be submitted to the County for collection on the County Tax Rolls. These assessments also constitute the initial proportional maximum assessment for each parcel.

Reference is made to the Los Angeles County tax roll for a description of the lots or parcels in each of the Assessment Districts.

The following table shows the assessment allocation for each parcel and lists the amount for operation and maintenance costs to be assessed to each parcel located within the Assessment District commencing Fiscal Year 2010/2011:

Assessment Allocation per Parcel

APNs	Land Use	Parcel Acreage	EDU Factor	Total Parcel EDU	Annual Parcel Assessment
2826-008-032	Non-Residential (Commercial)	0.800	1.00	0.800	\$ 520.18
2826-037-002	Non-Residential (Commercial)	0.649	1.00	0.649	\$ 422.25
2826-037-006	Non-Residential (Commercial)	2.260	1.00	2.260	\$ 1,469.50
2826-037-011	Non-Residential (Commercial)	0.264	1.00	0.264	\$ 171.66
2826-037-018	Non-Residential (Commercial)	3.480	1.00	3.480	\$ 2,262.77
2826-037-022	Non-Residential (Commercial)	1.150	1.00	1.150	\$ 747.75
2826-037-023	Non-Residential (Commercial)	1.660	1.00	1.660	\$ 1,079.37
2826-037-024	Non-Residential (Commercial)	0.279	1.00	0.279	\$ 181.54



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DEPARTMENT OF PARKS AND RECREATION- SPECIAL DISTRICTS

APNs	Land Use	Parcel Acreage	EDU Factor	Total Parcel EDU	Annual Parcel Assessment	
2826-037-027	Non-Residential (Commercial)	1.727	1.00	1.727	\$	1,122.93
2826-037-028	Non-Residential (Commercial)	1.600	1.00	1.600	\$	1,040.35
2826-163-001	Non-Residential (Commercial)	1.610	1.00	1.610	\$	1,046.85
2826-163-002	Non-Residential (Commercial)	1.920	1.00	1.920	\$	1,248.42
2826-163-008	Non-Residential (Commercial)	1.510	1.00	1.510	\$	981.83
2826-163-009	Non-Residential (Commercial)	1.280	1.00	1.280	\$	832.28
2826-163-010	Non-Residential (Commercial)	1.180	1.00	1.180	\$	767.26
2826-163-011	Non-Residential (Commercial)	5.690	1.00	5.690	\$	3,699.75
2826-163-013	Exempt Easement	0.443	-	-	\$	-
Not Yet Assigned	Vacated ROW	6.120	0.50	3.060	\$	1,989.67
2826-163-024	Non-Residential (Commercial)	4.090	1.00	4.090	\$	2,659.40
2826-163-029	Non-Residential (Commercial)	2.300	1.00	2.300	\$	1,495.51
2826-163-030	Non-Residential (Commercial)	3.390	1.00	3.390	\$	2,204.25
2826-163-031	Exempt Easement	5.470	-	-	\$	-
Total		48.873		39.900	\$	25,943.52



Attachment B: Description of Budget Items

The following describes the items listed in the assessment district's budget shown in Section III.

Utilities:

Water

The furnishing of water required for the irrigation of the landscaping and the maintenance of the ornamental structures, irrigation systems, and drainage devices.

Electric

The furnishing of electricity required for the operation of the ornamental structures, landscaping, irrigation systems, and drainage devices.

Telephone

The furnishing of telephone service for irrigation controllers.

Maintenance Contracts

Costs associated with maintenance (labor, material, and equipment) includes all labor, material, and equipment required to properly maintain and service the stamped concrete, landscaping, irrigation systems, and drainage devices within the assessment district. All improvements within the assessment district will be maintained and serviced on a regular basis. The frequency and specific maintenance operation required will be determined by County staff, but generally, the operations will occur weekly.

Contingency

Repairs that are unforeseen and not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism, storms, and frost. Planned upgrades of the improvements that provide a direct benefit to the assessment district could also be included in renovation costs. Examples of upgrades are replacing plant materials and/or renovation irrigation systems.



Annual Administrative/Inspection Costs

The cost of all County departmental staff for providing the coordination for maintenance and servicing, responding to public concerns, and levying and collecting assessments.

Reserves

Costs to upgrade and/or improve the existing stamped concrete, landscaping, irrigation systems, and drainage devices.



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DEPARTMENT OF PARKS AND RECREATION- SPECIAL DISTRICTS

Attachment C: FY 2010/2011 Budget (Assessment Calculation)

Budget Item	Sq. Ft. of Improvements	Maintenance Contract & Utility Cost per s.f.	Contingency/Reserves per s.f.	Admin per s.f.	Total
Landscape	52,300	0.345	0.052	0.079	\$24,900.24
Hardscape (stamped concrete)	10,800	0.070	0.011	0.016	\$1,043.28
Grand Total	63,100				\$25,943.52



Attachment D: Assessment Diagram

**LLA DISTRICT 4 ZONE NO. 78
MAGIC MOUNTAIN PARKWAY & THE
OLD ROAD AT INTERSTATE 5
COUNTY OF LOS ANGELES, CALIFORNIA
ASSESSMENT DIAGRAM**



LEGEND
ASSESSMENT DISTRICT BOUNDARY



ASSESSMENT DIAGRAM

HUNSAKER & ASSOCIATES
LOS ANGELES, INC.
PLANNING - ENGINEERING - SURVEYING
10000 WILSON BOULEVARD, SUITE 200
LOS ANGELES, CALIFORNIA 90024
TEL: (213) 444-4444 FAX: (213) 444-4444





Attachment E: Zone No. 78 Maintenance Areas Exhibit

AREA WIDE IRRIGATED AREA
62,500 SQ. FT.

AREA WIDE LANDSCAPE AREA
13,500 SQ. FT.



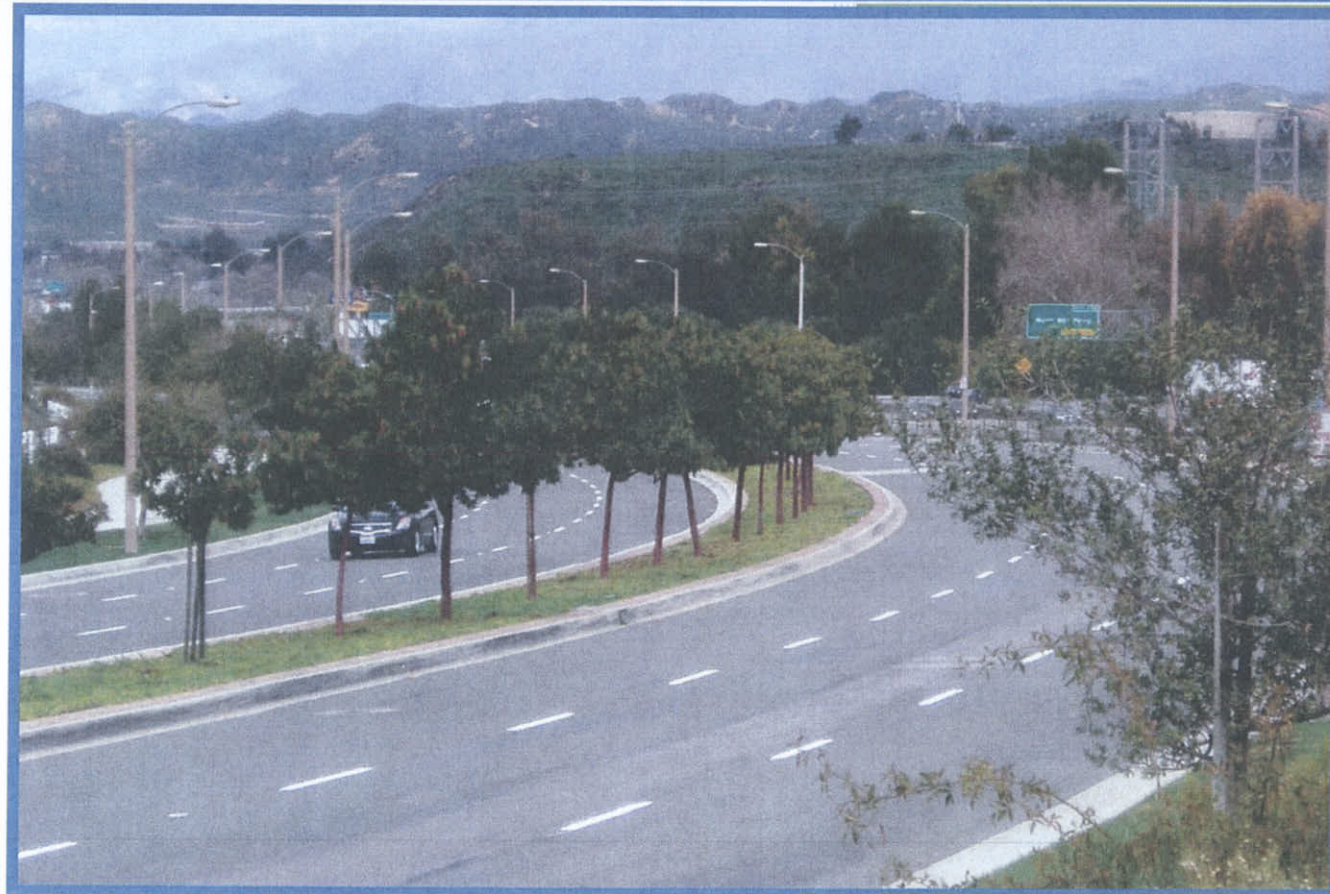
HUNSAKER & ASSOCIATES
LOS ANGELES, INC.
PLANNING • ENGINEERING • SURVEYING
28044 Avenue Hall, Suite #22 • Valencia, CA 91355
TEL (661) 254-2830 • FAX (661) 254-2211

DATE: 11/26/2009 REVISED ON:
ISSUED CURRENTLY: 04/5-Apr-2008 STATUS: 1 CIP: 1



Landscape and Lighting District No. 4, Zone No. 79 The Old Road Local

Zone No. 79 The Old Road Local Engineer's Report



Prepared by:
Hunsaker & Associates, LA
Jeannine Giem, AICP, LEED AP
26074 Avenue Hall #23
Santa Clarita, CA 91355
661-705-2228

April 2010



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- II. Plans and Specifications
- III. Estimated Cost of the Improvements
- IV. Assessment Diagram
- V. Assessment
- VI. Method of Assessment
- VII. Certification

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- Attachment A: Fiscal Year 2010/2011 Assessments
- Attachment B: Description of Budget Items
- Attachment C: FY 2010/2011 Budget (Assessment Calculation)
- Attachment D: Assessment Diagram
- Attachment E: Zone No. 79 Maintenance Areas Exhibit



I. INTRODUCTION

Pursuant to the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIIIID (hereafter referred to as the "California Constitution"), the Board of Supervisors of the County of Los Angeles (hereafter referred to as "County"), on behalf of the Los Angeles County Department of Parks and Recreation, has by resolution initiated proceedings in connection with the annexation of specified territory and the establishment of the special benefit assessment zone to be designated as:

Zone No. 79 The Old Road Local

(hereafter referred to as "Zone No. 79"), within the landscape maintenance district designated as:

Landscaping and Lighting Act District No. 4

(hereafter referred to as "LLA District No. 4") that was formed on July 22, 1997 to annually levy and collect special benefit assessments for the ongoing maintenance and operation of local landscape improvements within specified unincorporated areas of the County that provide special benefits to the properties therein

The County, through the Department of Parks and Recreation (hereafter referred to as "Agency"), is preparing to take responsibility for the maintenance and servicing of specific local landscape improvements within the public right-of-ways that will provide special benefits to nearby properties. This report has been prepared in connection with the establishment of LLA District No. 4, Zone No. 79 The Old Road Local and the annual assessments related thereto as required by the provisions of Article 4, Chapter 1 the 1972 Act.

Proposition 218, which appeared on the November 1996 Statewide ballot and now contained in Articles XIIIIC and XIIIID of the California Constitution, established substantive and procedural requirements for the levy of new or increased assessments including the requirement that all assessments be supported by a detailed Engineer's Report prepared by a registered professional engineer.



The 1972 Act provides for the levy of annual assessments after formation of an assessment district for the continued maintenance and servicing of district improvements. The act further allows various areas to be classified into a separate zone when the territory in the zone receives substantially the same degree of benefit from the improvements. The costs associated with the installation, maintenance, and service of the improvements may be assessed to those properties, which are benefited by them.

The County may initiate proceedings for the continued maintenance and servicing of the improvements by passing a resolution that generally describes any proposed new improvements, or any substantial changes in existing improvements, and order a registered professional engineer to prepare and file a detailed report.

The report prepared by the engineer must include plans and specifications of the improvements, and estimate of the costs of the improvements, including maintenance and servicing, a diagram describing the assessment district showing the boundary of the district including the parcels or lots which benefit. Once the report has been completed, it is then presented to the County (the legislative body) for its review and approval as presented, or may be modified and approved.

After the report is approved, the County shall adopt a resolution of intent, which declares its intent to levy and collect assessments. That resolution shall generally:

- Describe the improvements, including maintenance and servicing,
- Refer to the assessment district by its distinctive designation,
- Refer to the report for details of the district,
- Set a time for hearing on the levy of the proposed assessment, and
- Direct that each property owner be given a notice of the time and place for the hearing.

With the passage for Proposition 218, a notice is mailed to each of the property owners of record within the district or specific zone that will be subject to a new or increased assessment. The notice shall include a description in general terms, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, the total amount thereof chargeable to the entire district or specific zone, the amount chargeable to the owner's particular parcel, the duration of the payments, together with the date, time, and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return, and tabulation of the ballots, including a disclosure statement



that the existence of a majority protest will result in the assessment not being imposed. The public hearing must be held no fewer than 45 days after the notice is mailed.

Each notice mailed to owners of identified parcels within the district or specific zone shall contain a ballot which includes the agency's address for receipt of the ballot once completed by any owner receiving the notice whereby the owner may indicate his or her name, reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.

At the public hearing, the Board of Supervisors shall accepted public testimony and written protests regarding the district and proposed new or increased assessments. At the public hearing, the Board of Supervisors shall consider all protests against the proposed assessment and tabulate the ballots. The Board of Supervisors shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected properties.

Assessments, if authorized by these proceedings, may be placed on the 2010/2011 County tax roll, and be collected with the regular County property taxes.



II. PLANS AND SPECIFICATIONS

The proposed improvements for the Zone No. 79 The Old Road Local include, but are not limited to:

The operation, maintenance, and servicing of landscaping, (including trees, shrubs, grass, and other ornamental vegetation), fencing, irrigation systems, and drainage devices, located in the parkways (street right-of-ways) on Magic Mountain Parkway and The Old Road within the boundaries of Zone No. 79.

Maintenance means:

“The furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the ornamental structures and landscaping, including repair, removal, or replacement of all or part of the ornamental structures and landscaping, irrigation systems and drainage devices, providing for the life growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimming rubbish, debris, and other solid waste, and pest control.”

Servicing means:

“The furnishing of electricity for the lighting and operation of the ornamental structures, landscaping, irrigation systems and drainage devices, water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping, irrigation systems and drainage devices.”

The improvements to be maintained and funded by the assessments include the landscaping and related amenities in the public landscaped parkways along Magic Mountain Parkway and The Old Road within the boundaries of Zone No. 79 as depicted in “Attachment E” of this report. The specific plans and specifications for the improvements to be provided within LLA District No. 4, Zone No. 79 are extensive and are not bound in this report but by this reference are incorporated and made a part for this report. These plans and specifications are on file in the



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office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, where they are available for public inspection.



III. ESTIMATED COST OF THE IMPROVEMENTS

The 1972 Act provides that the estimated costs of the improvements may include the total costs of constructing or installing all proposed improvements and of maintaining and servicing all existing and proposed improvements, including all incidental expenses. This may include a reserve which shall not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the Agency expects to receive its apportionment of special assessments and tax collections from the County, whichever is later.

The Act also provides that the amount of any surplus, deficit, or contribution be included in the estimated cost of the improvements. The net amount to be assessed on the lots or parcels within each district is the total cost of installation, maintenance, servicing and incidental expenses with adjustments either positive or negative for reserves, surpluses, deficits, and/or contributions.

Estimated costs for improvements related to LLA District No. 4, Zone No. 79 are included as Attachment C. Typical costs for maintenance of landscape improvements are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, and are available to the public for review. A description of budget items is included as Attachment B.



IV. ASSESSMENT DIAGRAM

The exterior boundaries of LLA District No. 4, Zone No. 79 is provided in "Attachment D" and each parcel of land therein that is subject to annual assessment is identified by an Assessor's Parcel Number (APN) with the exception of the Vacated County right-of-way (ROW) that will be assigned an APN upon sale of the property. (Refer to "Attachment A" of this report). The lines and dimensions of each parcel of land shown in "Attachment D" and listed in "Attachment A" are shown on the corresponding Assessor's maps maintained by the County of Los Angeles, Office of the Assessor. Said maps are herein incorporated by reference and include the following Assessor parcels:

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The Assessment Roll (Attachment A), includes the Assessor's Parcel Numbers, Land Use, Parcel Acreage, Assigned Equivalent Dwelling Units (EDU) and proposed annual assessment for each parcel within the benefit zone for Fiscal Year 2010/2011. Land use and acreage information is based on data obtained



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from the latest Assessment Roll from the County of Los Angeles, Office of the Assessor.



V. ASSESSMENT

All assessed lots and parcels of real property within the assessment district shall be listed on the Assessment Roll. The new Chevron property has yet to be assigned a new Assessor Parcel Number; however it is anticipated to be assigned prior to the collection of the first year's assessments. The assessments identified in Attachment A indicates the net calculated amount to be assessed upon each parcel receiving special benefit for Fiscal Year 2010/2011 and is based on an assessment rate and method of apportionment more fully described in Section VI (Method of Assessment) of this report. The assessment rate calculated for Fiscal Year 2010/2011 (\$896.74 per Equivalent Dwelling Unit) is the initial maximum assessment rate for LLA District No. 4, Zone No. 79 and shall be subject to an annual inflationary adjustment to establish the maximum annual assessment rate authorized each Fiscal Year.

Commencing with Fiscal Year 2011/2012, the maximum the assessment (assessment rate) shall be increase annually, based on the percentage increase in the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. Each Fiscal Year the engineer shall compute the percentage difference between the CPI for March of each year and the CPI for the previous March, to establish the authorized maximum assessment rate for the upcoming Fiscal Year. The annual assessment to be levied upon parcels within LLA District No. 4, Zone No. 79 each Fiscal Year shall be based on an assessment calculation that does not exceed the adjusted maximum assessment rate. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the engineer shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board of Supervisors.



VI. METHOD OF ASSESSMENT

a) Background

The 1972 Act provides that assessments may be apportioned upon all assessable lots or parcels of land within the district or zone therein in proportion to the estimated benefits to be received for the improvements. In addition, the California Constitution (Proposition 218) requires that assessments be a levy or charged upon real property for a special benefit conferred on the property over and above any general benefits conferred on real property located in the district or to the public at large. Although the general enhancement of property value is not a special benefit, the specific enhancement of property value is a special benefit. In essence, an assessment, levy or charge, on a parcel must be based on a particular and distinct benefit to the parcel, and shall not include any general benefits.

b) Special Benefit

In determining the proportionate special benefit derived by each identified parcel, the use of the parcel, the proximity of the parcel to the public improvements, and the maintenance and operating costs of said public improvements, was considered and analyzed.

Landscaping, hardscape, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property in close proximity to those improvements by providing beautification, shade, and positive enhancement of the community character, attractiveness and desirability of the surroundings. In addition, all of the aforementioned contributes to a specific increase in property desirability and a specific enhancement of the property value of each parcel within each Zone of Benefit.

Based on these factors, it has been determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by these public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share, and such improvements

Only provide incidental benefits to the public at large and to motorists traveling to, from, or through the Area of Benefit.



c) Apportionment

Therefore it has been determined that the Special Benefit derived from maintenance of the improvements is 100% attributable to the properties within LLA District No. 4, Zone No. 79, and that the proportional special benefit to each lot or parcel is reflected by each lot or parcel's proportional acreage. However, it is also recognized that due to current development restrictions the vacated right-of-way property (encumbered with utility easements) does not benefit from the maintenance of the improvements to the same degree as the remaining parcels. Therefore, the vacated right-of-way parcels shall be assigned 0.5 EDU per acre as opposed to 1.0 EDU acre for all other non-residential properties. Attachment A outlines the calculation of the proportional assessable Special Benefit for each lot or parcel of land to be assessed, expressed as EDUs, attributable to each parcel.

It should be noted, there are two parcels within the Zone (Parcels 2826-163-013 and 2826-163-031), that do not receive special benefits from the improvements. These two parcels are landscaped slopes adjacent to the street right-of-way and cannot be developed for commercial use and shall not be assessed.

d) Publicly Owned Parcels

In accordance with Section 4 of Article XIID of the California Constitution, publicly owned parcels are required to be assessed unless they in fact receive no special benefit. Currently the vacated right-of-way within the District is owned by Los Angeles County. These parcels are expected to eventually be sold and assessed as previously indicated.

e) Assessment Calculations

In determining the cost per parcel for Fiscal Year 2010/2011, the total estimated cost of the improvements (annual operation, maintenance, and servicing expenses, and operating reserves) will be used to determine the amount to be assessed. Based on the improvements to be provided, the total amount to be assessed as special benefits for the 2010/2011 fiscal year is \$35,779.56 (Refer to Attachment C for the calculation of costs). Dividing this amount (\$35,779.56) by the total number of Equivalent Dwelling Units calculated for each parcel (39.90 EDU) establishes an assessment rate of \$896.74 per EDU. This rate per EDU multiplied by each parcel's individual EDU, results in the parcel's assessment amount.

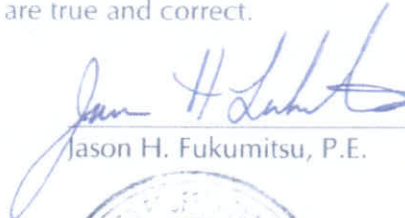


Each assessable parcel in the assessment district and its proposed 2010/2011 assessment is identified in Attachment A.



VII. CERTIFICATION

I, Jason H. Fukumitsu, P.E. Engineer of Work for the County of Los Angeles, do hereby certify that the foregoing assessments together with the boundary maps attached hereto, are true and correct.

 3-18-10
Jason H. Fukumitsu, P.E.





Attachment A: Fiscal Year 2010/2011 Assessments

The 2010/2011 Fiscal Year assessments for the Landscape and Lighting Act (LLA) District No. 4, Zone No. 79 The Old Road Local is outline below and constitute the Assessment Roll to be submitted to the County for collection on the County Tax Rolls. These assessments also constitute the initial proportional maximum assessment for each parcel.

Reference is made to the Los Angeles County tax roll for a description of the lots or parcels in each of the Assessment Districts.

The following table shows the assessment allocation for each parcel and lists the amount for operation and maintenance costs to be assessed to each parcel located within the Assessment District commencing Fiscal Year 2010/2011:

Assessment Allocation per Parcel

APNs	Land Use	Parcel Acreage	EDU Factor	Total Parcel EDU	Annual Parcel Assessment
2826-008-032	Non-Residential (Commercial)	0.800	1.00	0.800	\$ 717.39
2826-037-002	Non-Residential (Commercial)	0.649	1.00	0.649	\$ 582.34
2826-037-006	Non-Residential (Commercial)	2.260	1.00	2.260	\$ 2,026.63
2826-037-011	Non-Residential (Commercial)	0.264	1.00	0.264	\$ 236.74
2826-037-018	Non-Residential (Commercial)	3.480	1.00	3.480	\$ 3,120.66
2826-037-022	Non-Residential (Commercial)	1.150	1.00	1.150	\$ 1,031.25
2826-037-023	Non-Residential (Commercial)	1.660	1.00	1.660	\$ 1,488.59
2826-037-024	Non-Residential (Commercial)	0.279	1.00	0.279	\$ 250.37



COUNTY OF LOS ANGELES
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APNs	Land Use	Parcel Acreage	EDU Factor	Total Parcel EDU	Annual Parcel Assessment
2826-037-027	Non-Residential (Commercial)	1.727	1.00	1.727	\$ 1,548.67
2826-037-028	Non-Residential (Commercial)	1.600	1.00	1.600	\$ 1,434.78
2826-163-001	Non-Residential (Commercial)	1.610	1.00	1.610	\$ 1,443.75
2826-163-002	Non-Residential (Commercial)	1.920	1.00	1.920	\$ 1,721.74
2826-163-008	Non-Residential (Commercial)	1.510	1.00	1.510	\$ 1,354.08
2826-163-009	Non-Residential (Commercial)	1.280	1.00	1.280	\$ 1,147.83
2826-163-010	Non-Residential (Commercial)	1.180	1.00	1.180	\$ 1,058.15
2826-163-011	Non-Residential (Commercial)	5.690	1.00	5.690	\$ 5,102.45
2826-163-013	Exempt Easement	0.443	-	-	\$ -
Not Yet Assigned	Vacated ROW	6.120	0.50	3.060	\$ 2,744.02
2826-163-024	Non-Residential (Commercial)	4.090	1.00	4.090	\$ 3,667.67
2826-163-029	Non-Residential (Commercial)	2.300	1.00	2.300	\$ 2,062.50
2826-163-030	Non-Residential (Commercial)	3.390	1.00	3.390	\$ 3,039.95
2826-163-031	Exempt Easement	5.470	-	-	\$ -
Total		48.873		39.900	\$ 35,779.56



Attachment B: Description of Budget Items

The following describes the items listed in the assessment district's budget shown in Section III.

Utilities:

Water

The furnishing of water required for the irrigation of the landscaping and the maintenance of the ornamental structures, irrigation systems, and drainage devices.

Electric

The furnishing of electricity required for the operation of the ornamental structures, landscaping, irrigation systems, and drainage devices.

Telephone

The furnishing of telephone service for irrigation controllers.

Maintenance Contracts

Costs associated with maintenance (labor, material, and equipment) includes all labor, material, and equipment required to properly maintain and service the landscaping, irrigation systems and drainage devices within the assessment district. Street trees and sidewalk within the zone boundary are not proposed to be maintained by this assessment district, but are to be maintained by Los Angeles County Department of Public Works. All improvements within the assessment district will be maintained and serviced on a regular basis. The frequency and specific maintenance operation required will be determined by County staff, but generally, the operations will occur weekly.

Contingency

Repairs that are unforeseen and not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism, storms, and frost. Planned upgrades of the improvements that provide a direct benefit to the assessment district could also be included in renovation costs. Examples of upgrades are replacing parkway fencing, plant materials and/or renovation irrigation systems.



Annual Administrative/Inspection Costs

The cost of all County departmental staff for providing the coordination for maintenance and servicing, responding to public concerns, and levying and collecting assessments.

Reserves

Costs to upgrade and/or improve the existing landscaping, irrigation systems, and drainage devices.



*COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION- SPECIAL DISTRICTS*

Attachment C: FY 2010/2011 Budget (Assessment Calculation)

Budget Item	Sq. Ft. of Improvements	Maintenance Contract & Utility Cost per s.f.	Contingency/Reserves per s.f.	Admin. per s.f.	Total
Landscape	69,800	0.345	0.052	0.079	\$33,231.78
Vinyl Fence	1,100	0.30	2.00	0.016	\$2,547.78
Grand Total					\$35,779.56

Note: All hardscape (sidewalks) and street trees are proposed to be maintained by Los Angeles County Department of Public Works.



Attachment D: Assessment Diagram

**LLA DISTRICT 4 ZONE NO. 79
MAGIC MOUNTAIN PARKWAY & THE
OLD ROAD AT INTERSTATE 5
COUNTY OF LOS ANGELES, CALIFORNIA
ASSESSMENT DIAGRAM**



ASSESSMENT DIAGRAM

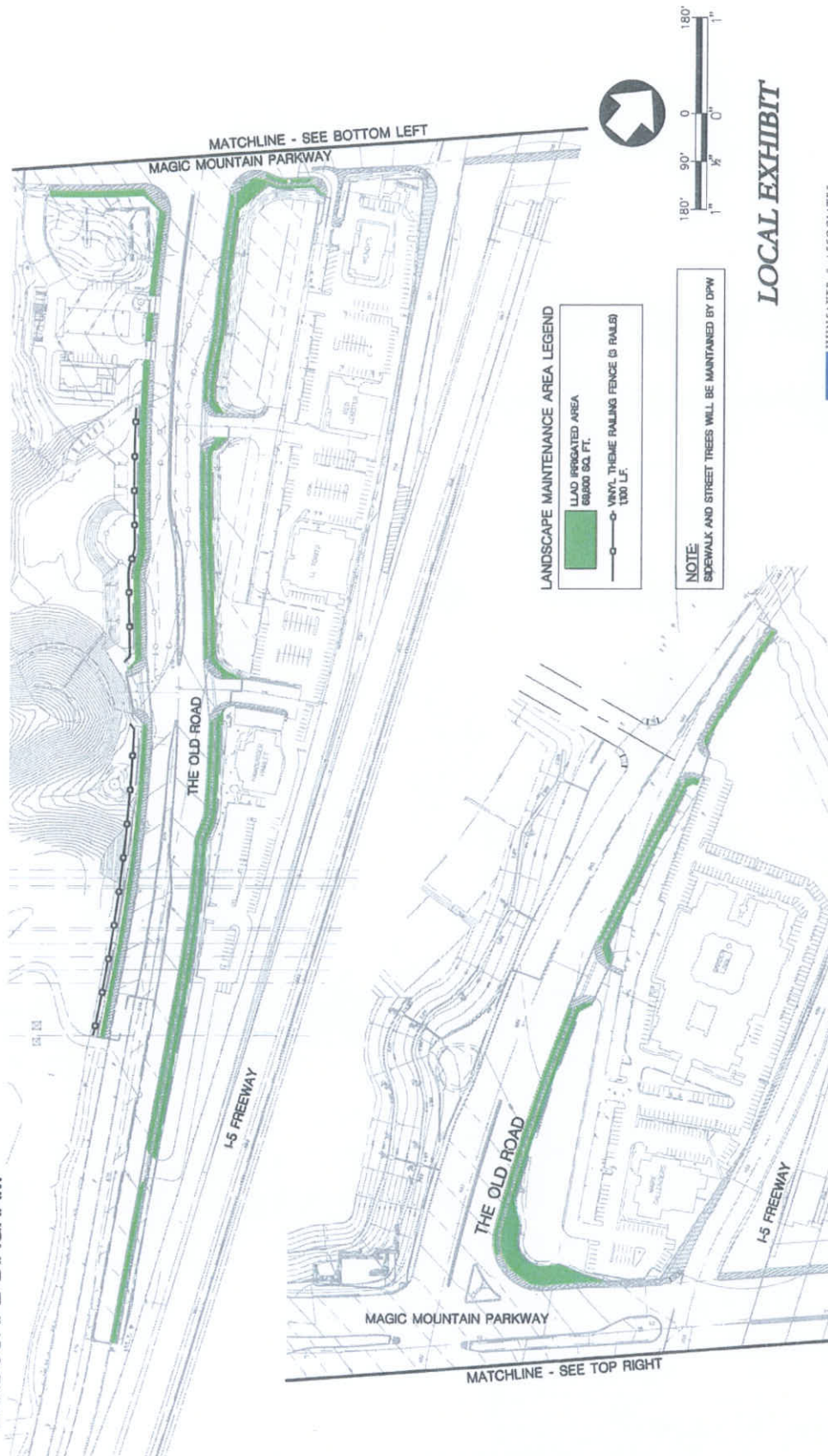
**HUNSAKER & ASSOCIATES
LOS ANGELES, INC.**
PLANNING • ENGINEERING • SURVEYING
2001 Avenue Hill, Suite #22 • Van Nuys, CA 91411
TEL: 818/757-0000 • FAX: 818/757-0001

DATE: 12/15/2010
PROJECT: LLA DISTRICT 4 ZONE NO. 79
SHEET: 1 OF 1

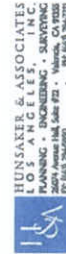


Attachment E: Zone No. 79 Maintenance Areas Exhibit

LLA DISTRICT 4 ZONE NO. 79
**MAGIC MOUNTAIN PARKWAY & THE
 OLD ROAD AT INTERSTATE 5**
 COUNTY OF LOS ANGELES, CALIFORNIA
LANDSCAPE DIAGRAM



LOCAL EXHIBIT



DATE: 11/24/09
 DRAWN: J. HUNSAKER
 CHECKED: J. HUNSAKER
 PROJECT: LLA DISTRICT 4 ZONE NO. 79